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10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12 (HONORABLE JOSEPHINE L. STATON)

13 UNITED STATES OF AMERICA,  
14 Plaintiff,  
15 v.  
16 YONG JIANG,  
17 Defendant.

Case No.: 24-cr-00187-JLS-1

DEFENDANT YONG JIANG'S  
SENTENCING MEMORANDUM

Sentencing Date: February 7, 2025  
Time: 9:30 a.m.

18 Defendant Yong Jiang hereby files his Sentencing Memorandum. The  
19 defense agrees with the Probation Officer's guidelines calculations and sentencing  
20 recommendation of 2 years of probation, a \$100 penalty assessment and \$95,000 in  
21 restitution to the United States Postal Service.

22 **I. INTRODUCTION**

23 Yong Jiang, 50 years old, is before the Court for sentencing on his  
24 Conspiracy to Defraud the United States 18 U.S.C. §371. This is his first serious  
25 offense and he regrets the actions that bring him before the court. He is very sorry  
26 and apologizes to the Court and the United States for his involvement in this  
27 offense. Mr. Jiang's family describes him as a caring, respectful and loving father  
28 and husband. Mr. Jiang's wife and son remain extremely supportive during the

1 instant offense.

## 2 **II. DEFENDANT’S POSITION ON SENTENCING FACTORS**

### 3 **A. THE NATURE OF THE OFFENSE**

4 Mr. Jiang pled guilty to conspiring to defraud the United States in violation  
5 of 18 U.S.C. § 371, specifically using counterfeit shipping labels from between  
6 May 1, 2023 to May 24, 2023 resulting in a restitution amount of \$95,000.

### 7 **B. THE DEFENDANT’S HISTORY AND CHARACTERISTICS**

8 Yong Jiang, 50 years old was born in 1974, in China. His parents are Xue  
9 Guang Jiang and Nianxiang Tan. Mr. Jiang’s father sadly passed away in 2021  
10 after succumbing to the Covid virus. His mother resides in Hunan Province, China.  
11 Mr. Jiang has a younger brother, Jiang Huijiang, who also resides in China.

12 Being raised in China during the 1970s was difficult for Mr. Jiang and his  
13 family. Food was scarce and rationed. His parents would work up to three shifts a  
14 day to feed the family. Mr. Jiang was forced to tend to his younger brother at home  
15 and before and after school while his parents were at work. Mr. Jiang would walk  
16 one hour to and from school every day. In fact, when he started working in addition  
17 to his schooling, he worked and paid for half of his brother’s tuition. PSR at 11. Mr.  
18 Jiang learned early on that excelling in the school was the only way he and his  
19 brother could improve their life prospects.

20 After graduating from high school, in 1996, Mr. Jiang attended Central  
21 South University of China where he earned a Bachelor of Science degree in  
22 Mechanical Engineering. In 2005, Mr. Jiang attended Sun Yat Sen University and  
23 obtained a Master’s Degree in Engineering and Business.

24 Mr. Jiang has had consistent employment from 2014 to the present. He was  
25 self employed at Quickfish Supply Chain LTD in ShenZhen City, China as the  
26 CEO. From 2009 to 2014, Mr. Jiang was employed at Light in the Box LTD in  
27 ShenZhen City, China.  
28

1 Mr. Jiang married Mei Hna (Zhao) in 2016 in China. They have one child,  
2 Qingyang Jiang, age 19, who lives in Santa Cruz and attends school there.

3 Regrettably, Mr. Jiang became involved in this offense for which is ashamed.  
4 He apologizes to the United States and the Court. He will never be involved in a  
5 criminal offense again.

### 6 7 **C. THE ADVISORY SENTENCING GUIDELINES**

8 The Defense agrees with the Probation Office's sentencing calculations,  
9 including the zero-point offender reduction, variance recommended and sentencing  
10 recommendation.

11 In further support of Mr. Jiang's sentence, the defense highlights the  
12 following points:

13 Given that this Mr. Jiang's first offense, it is non-violent, and he served  
14 nearly 8 months in custody already, Congress contemplated a noncustodial sentence  
15 in such a circumstance. *See* 28 U.S.C. § 994(j) (charging the Commission with  
16 "insur[ing] that the guidelines reflect the general appropriateness of imposing a  
17 sentence other than imprisonment in cases in which the defendant is a first offender  
18 who has not been convicted of a crime of violence or an otherwise serious  
19 offense[.]"). *See also United States v. Paul*, 561 F.3d 970 (9th Cir. 2009) (court's  
20 within guideline sentence of 15 months unreasonably high in part because Paul was  
21 a first-time offender with no criminal record whatsoever); *United States v. Autery*  
22 555 F.3d 864 (9th Cir. 2009) (court's variance to probation from an advisory  
23 guidelines 41-51 months, not unreasonable in part because defendant's first  
24 conviction and Criminal History I "did not fully account or his complete lack of  
25 criminal history.").

26 The likelihood that a defendant "will engage in future criminal conduct [is] a  
27 central factor that district courts must assess when imposing sentence." *Pepper v.*  
28 *United States*, 131 S. Ct. 1229, 1242 (2011). Here, there is a very low risk of

1 recidivism given the harsh lesson Mr. Jiang has already learned, especially in light  
2 of his upbringing. *See, e.g., United States v. Smith*, 275 F. App'x 184, 187 (4th Cir.  
3 2008) (affirming 54 months downward variance in part because of low risk of  
4 recidivism); *United States v. Nellum*, 2005 U.S. Dist. LEXIS 1568 (N.D. Ind. Feb.  
5 3, 2005) (in drug distribution case by a 57 year old defendant, a 60 months  
6 reduction in sentence based on lower recidivism rates under § 3553(a)(2)).

7 Per the Sentencing Commission's studies, Mr. Jiang's education, work  
8 history, age and no criminal history also support that he is a low to no risk of  
9 reoffending. *See Recidivism and the 'First Offender'* (May 2024) available at  
10 <https://www.ussc.gov/research/research-publications/recidivism-and-first-offender>  
11 ("The analysis [of empirical data on re-offending] delineates recidivism risk for  
12 offenders with minimal prior criminal history and shows that the risk is lowest for  
13 offenders with the least experience in the criminal justice system. Offenders with  
14 zero criminal history points have lower recidivism rates than offenders with one or  
15 more criminal history points. Even among offenders with zero criminal history  
16 points, offenders who have never been arrested have the lowest recidivism risk of  
17 all."). "Recidivism rates decline relatively consistently as age increases." *See*  
18 U.S.S.C., *Measuring Recidivism: The Criminal History Computation of the Federal*  
19 *Sentencing Guidelines*, at 12 (found at [https://www.ussc.gov/sites](https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2004/200405_Recidivism_Criminal_History.pdf)  
20 [/default/files/pdf/research-and-publications/research-publications/2004/200405\\_](https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2004/200405_Recidivism_Criminal_History.pdf)  
21 [Recidivism\\_Criminal\\_History.pdf](https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2004/200405_Recidivism_Criminal_History.pdf)).

### 22 **III. CONCLUSION**

23 Based on the foregoing, the defense agrees with the Probation Officer's  
24 recommendation of a sentence of two years probation, a \$100 penalty assessment  
25 and \$95,000 in restitution.  
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Respectfully submitted,

Dated: January 24, 2025

s/ Shaun Khojayan  
Attorney for Defendant Yong Jiang